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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 040405/0338

Applicant: Isamu YAMANE

Title: INCOMING CALL BLOCKING SYSTEM AND METHOD FOR  
MOBILE TERMINAL

Serial No.: 09/855,531

**RECEIVED**

Filed: May 16, 2001

NOV 26 2002

Examiner: Unassigned

Technology Center 2600

Art Unit: 2681

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued October 22, 2002 with respect to a counterpart Japanese patent application is provided below.

"Claims 1-8

Cited Literature 1-4

**Remarks**

Cited Literature 1 describes detecting the location by GPS, determining the speed, and restricting incoming calls when the speed is too fast. Furthermore, Cited Literature 3 or 4 describes the art of determining speed of movement on the network side and restricting incoming calls when the speed of movement is too fast.

In Cited Literature 1, adopting the constitution whereby the speed of movement is determined on the network side to restrict incoming calls is something that could have been easily conceived of by a person skilled in the art.

List of Cited literature

1. Japanese Unexamined Patent Application Publication H11-018159
  2. Japanese Unexamined Patent Application Publication H11-113041
  3. Japanese Unexamined Patent Application Publication H11-196475
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Record of Prior Art Literature Search Results

Fields searched - IPC 7<sup>th</sup> Edition - H04B 7/24-7/26, 102  
H04Q 7/00-7/38

Prior art literature

Japanese Unexamined Patent Application Publication 2000-40064

This Record of Prior Art Literature Search Results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

November 25, 2002  
Date

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